25-10034-mew Doc 1 Filed 01/12/25 Entered 01/12/25 22:18:52 Main Document Pg 1 of 23

		9			
Fill	in this information to ident	tify your case:			
Uni	ted States Bankruptcy Court	for the:			
so	UTHERN DISTRICT OF NEV	W YORK, MANHATTAN DIVISION			
Cas	se number (if known)	Chap	oter <u>11</u>		
				☐ Check if this an amended filing	
<u>Of</u>	ficial Form 201				
V	oluntary Petiti	on for Non-Individuals	Filing for Bank	ruptcy	06/24
lf m kno	ore space is needed, attach wn). For more information,	n a separate sheet to this form. On the top of a a separate document, <i>Instructions for Bankru</i>	ny additional pages, write the ptcy Forms for Non-Individual	debtor's name and the case nun /s, is available.	nber (if
1.	Debtor's name	Rock 51 LLC			
2.	All other names debtor used in the last 8 years				
	Include any assumed names, trade names and doing business as names				
3.	Debtor's federal Employer Identification Number (EIN)	87-4033316			
4.	Debtor's address	Principal place of business	Mailing addres business	ss, if different from principal place of	
		7 West 51st Street, Ground Floor New York, NY 10019	New York, NY		
		Number, Street, City, State & ZIP Code	P.O. Box, Numb	ber, Street, City, State & ZIP Code	
		New York County	Location of pri	incipal assets, if different from p ess	rincipal
			Number, Street	, City, State & ZIP Code	
5.	Debtor's website (URL)		_		
6.	Type of debtor	 ☑ Corporation (including Limited Liability Co ☐ Partnership (excluding LLP) ☐ Other. Specify: 	mpany (LLC) and Limited Liabilit	y Partnership (LLP))	

25-10034-mew Doc 1 Filed 01/12/25 Entered 01/12/25 22:18:52 Main Document Pg 2 of 23

Debte	or Rock 51 LLC	Case number (if known)	
	Name		
7.	Describe debtor's business	A. Check one: Health Care Business (as defined in 11 U.S.C. § 101(27A)) Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) Railroad (as defined in 11 U.S.C. § 101(44)) Stockbroker (as defined in 11 U.S.C. § 101(53A)) Commodity Broker (as defined in 11 U.S.C. § 101(6)) Clearing Bank (as defined in 11 U.S.C. § 781(3)) None of the above	
		B. Check all that apply Tax-exempt entity (as described in 26 U.S.C. §501) Investment company, including hedge fund or pooled investment vehicle (as Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))	defined in 15 U.S.C. §80a-3)
		C. NAICS (North American Industry Classification System) 4-digit code that best c http://www.uscourts.gov/four-digit-national-association-naics-codes .	lescribes debtor. See
			
8.	Under which chapter of the Bankruptcy Code is the debtor filing?	Check one: ☐ Chapter 7 ☐ Chapter 9 ☐ Chapter 11. Check all that apply: ☐ Debtor's aggregate noncontingent liquidated debts (exclurate less than \$3,024,725 (amount subject to adjustment) ☐ The debtor is a small business debtor as defined in 11 U business debtor, attach the most recent balance sheet, statement, and federal income tax return or if all of these procedure in 11 U.S.C. § 1116(1)(B). ☐ The debtor is a small business debtor as defined in 11 U proceed under Subchapter V of Chapter 11. ☐ A plan is being filed with this petition. ☐ Acceptances of the plan were solicited prepetition from accordance with 11 U.S.C. § 1126(b). ☐ The debtor is required to file periodic reports (for example Exchange Commission according to § 13 or 15(d) of the Attachment to Voluntary Petition for Non-Individuals Filim (Official Form 201A) with this form. ☐ The debtor is a shell company as defined in the Securities.	on 4/01/25 and every 3 years after that). S.C. § 101(51D). If the debtor is a small statement of operations, cash-flow e documents do not exist, follow the .S.C. § 101(51D), and it chooses to one or more classes of creditors, in e, 10K and 10Q) with the Securities and Securities Exchange Act of 1934. File the 19 for Bankruptcy under Chapter 11
		Chapter 12	
9.	Were prior bankruptcy cases filed by or against the debtor within the last 8 years? If more than 2 cases, attach a separate list.		ase numberase number
10.	Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?	⊠ No □ Yes.	
	List all cases. If more than 1, attach a separate list		lationship se number, if known

25-10034-mew Doc 1 Filed 01/12/25 Entered 01/12/25 22:18:52 Main Document Pg 3 of 23

Deb	tor	Rock 51 LLC			-	9	Case number (if know	vn)	
		Name				_			
11.		Why is the case filed in this district?		all that appl	/ :				
	tnis	aistrict?						s in this district for 180 days immediately in in any other district.	
			□ A	bankruptcy	case concerning de	btor's affiliate, gener	al partner, or partne	rship is pending in this district.	
12.	Does the debtor own or		⊠ No						_
	rea	have possession of any real property or personal	☐ Yes.	Answer b	pelow for each prope	rty that needs immed	liate attention. Attac	h additional sheets if needed.	
		perty that needs nediate attention?		Why doe	es the property need	d immediate attenti	on? (Check all that a	apply.)	
				☐ It pos	☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.				
				What i	s the hazard?				
				☐ It nee	ds to be physically s	ecured or protected f	rom the weather.		
								e or lose value without attention (for example, d assets or other options).	
				☐ Other					
				Where is	the property?				
						Number, Street, C	ity, State & ZIP Cod	e	
				Is the pr	operty insured?				
				☐ No					
				☐ Yes.	Insurance agency				
					Contact name				_
					Phone				
									_
		Statistical and admin	istrative	informatio	n				
13.		tor's estimation of		Check one:					
	avai	available funds		☐ Funds w	vill be available for di	stribution to unsecure	ed creditors.		
				After an	y administrative expe	enses are paid, no fu	nds will be available	to unsecured creditors.	
14.	Esti	mated number of	☑ 1-49	l		1,000-5,000	0	<u></u>	_
	crec	ditors	☐ 50-9 ☐ 100-			☐ 5001-10,00		50,001-100,000	
			200-			☐ 10,001-25,0	000	☐ More than100,000	
15.	Esti	mated Assets	☐ \$0 -	\$50,000		<u></u> \$1,000,001	- \$10 million	□ \$500,000,001 - \$1 billion	
			☐ \$50,	001 - \$100,		፟ \$10,000,00	1 - \$50 million	☐ \$1,000,000,001 - \$10 billion	
),001 - \$500),001 - \$1 n			1 - \$100 million 01 - \$500 million	☐ \$10,000,000,001 - \$50 billion ☐ More than \$50 billion	
16.	Esti	mated liabilities	□ \$0 -	\$50,000		⊠ \$1,000,001	- \$10 million	□ \$500,000,001 - \$1 billion	_
),001 - \$100			1 - \$50 million	☐ \$1,000,000,001 - \$10 billion	
),001 - \$500).001 - \$1 m			1 - \$100 million 01 - \$500 million	☐ \$10,000,000,001 - \$50 billion ☐ More than \$50 billion	

	25-10034-r	new Doc 1 Filed 01/12/25 Entered Pg 4 of 23	d 01/12/25 22:18:52 Main Document			
Debtor	Rock 51 LLC	F 9 4 01 23	Case number (if known)			
	Name		-			
	_					
	Request for Relief, I	Declaration, and Signatures				
WARNII		is a serious crime. Making a false statement in connection up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and	with a bankruptcy case can result in fines up to \$500,000 or 3571.			
of a	laration and signature uthorized resentative of debtor		er of title 11, United States Code, specified in this petition.			
		I have been authorized to file this petition on behalf of the debtor.				
		I have examined the information in this petition and have a reasonable belief that the information is true and correct.				
		I declare under penalty of perjury that the foregoing is true and correct.				
		Executed on January 12, 2025 MM / DD / YYYY				
		x /s/ Lee E. Buchwald	Lee E. Buchwald			
		Signature of authorized representative of debtor	Printed name			
		Title Chief Restructuring Officer	_			
18. Sigr	nature of attorney	X_/s/ Kevin J. Nash	Date _ January 12, 2025			
		Signature of attorney for debtor	MM / DD / YYYY			
		Kevin Nash				
		Printed name				
		Goldberg Weprin Finkel Goldstein LLP				
		Firm name				
		125 Park Ave				
		New York, NY 10017-5690				
		Number, Street, City, State & ZIP Code				

Email address knash@gwfglaw.com

Official Form 201

Contact phone

Bar number and State

NY

WRITTEN CONSENT OF THE SOLE MEMBER OF ROCK 51 LLC TO COMMENCE CHAPTER 11 CASE

The undersigned, being an authorized signatory and the sole member of Rock 51 LLC (the "Company"), hereby adopts the following resolutions:

WHEREAS, the Company entered into a long-term lease with Pref 7 West 51st Street LLC, as landlord (the "<u>Landlord</u>") on January 25, 2022 to build-out and operate an upscale, high-end, Italian restaurant (the "<u>Restaurant</u>") located at 7 West 51st Street, New York, NY (the "<u>Leased Premises</u>");

WHEREAS, the Company has already invested approximately \$7.0 million in the build-out of the restaurant, the opening of which has been delayed by a number of factors, including ongoing disputes with the Landlord relating to water infiltration and unpaid rent claims;

WHEREAS, the Restaurant is approximately 80% complete and the financial investors of the Company have gained full management and operating control of the Company and have elected to seek relief under Chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") to preserve the Lease while the Restaurant is completed and the claims of the Landlord are resolved; and

WHEREAS, in view of the foregoing, the Company hereby adopts the following resolutions:

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that Lee E. Buchwald is designated as the Chief Restructuring Officer ("<u>CRO</u>") of the Company effective immediately with all attendant fiduciary rights, duties and responsibilities to manage the Company's legal and financial affairs; and it is further

RESOLVED, that the Company is authorized to file a voluntary petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") on behalf of the Company; and it is further

RESOLVED, that Lee E. Buchwald, as the CRO of the Company, is authorized to (a) execute the Chapter 11 petition and all related papers and other documents and cause same to be filed in the Bankruptcy Court; and (b) cause the Company to file schedules, statements, lists, motions, applications, and other necessary papers to prosecute the Chapter 11 case, to preserve the Lease, and confirm a plan of reorganization; and it is further

RESOLVED, that the Company is authorized to retain the law firm of Goldberg Weprin Finkel Goldstein LLP as bankruptcy counsel in the Chapter 11 case.

IN WITNESS WHEREOF, the undersigned has executed this consent as of January 12, 2025.

Rock 51 LLC

By: Rock 51 Trust Its sole member

By:

/s/ Iskander Kadirov

Iskandar Kadirov

Chapter 11
Case No.

DEBTOR'S DECLARATION PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2

Lee E. Buchwald, declares the following under penalties of perjury pursuant to 28 U.S.C. § 1746:

- 1. I have been engaged as the chief restructuring officer ("CRO") of Rock 51 LLC (the "Debtor") by the current investors and member to oversee a corporate restructuring of the Debtor's restaurant (the "Restaurant"). I have become familiar with the Debtor's financial and legal affairs and submit this Declaration pursuant to Local Rule 1007-2 in support of the commencement of the Chapter 11 case on behalf of the Debtor.
- 2. The purpose of this Declaration is to assist the Court, creditors and other parties-in-interest in understanding the events leading to the need to seek Chapter 11 relief and the Debtor's strategies to emerge from bankruptcy.
- 3. The major impetus for commencement of the Chapter 11 case is to preserve and maintain the Debtor's leasehold rights while the Debtor completes construction of the Restaurant with an anticipated opening in the middle part of this year.

Background

4. The Debtor was first organized in 2022 to construct and operate a first-rate Italian restaurant at 7 West 51st Street, New York, NY 10019 (the "<u>Leased Premises</u>"). To that

end, the Debtor entered into a long-term lease (the "Lease") with Pref 7 West 51st Street LLC (the "Landlord").

- 5. The Restaurant is designed to include multi-level dining areas with a total seating capacity for approximately 275 people, plus multiple bar areas as well. Cooking and food preparation will be done in the basement and cellar levels. A floor plan for the Restaurant is attached hereto as **Exhibit A** (the "Project").
- 6. Since the signing of the Lease in 2022, the Debtor has expended approximately \$7.0 million in total on the Project, including payment of rent through April 2024 and parts of Summer 2024. The construction is approximately 80% to 90% complete. The capital for the Project has been obtained from loans and contributions from overseas investors, mainly Global Wireless FZE, an entity based out of Dubai, United Arab Emirates.
- 7. Unfortunately, the opening of the Restaurant has been delayed due to a number of factors, including delays in construction, delays in obtaining European crafted fixtures and furniture, and, most pressing, ground water infiltration and flooding in the basement area, which the Landlord has not adequately addressed.
- 8. The Debtor is currently in litigation with the Landlord over a number of issues in the Civil Court, New York County. The prospect of protracted litigation further delays completion of the Project and opening of the Restaurant. The Debtor is contesting the Landlord's noticing of prior rent demands, as well as the Landlord's entitlement to certain past-due rent in the face of unremedied water infiltration and flooding issues.
- 9. In the interim, the financial investors of the Debtor have gained management and operational control of the Debtor. A trust for the benefit of Iskander Kadirov is the Debtor's 100% equity holder and member. Mr. Kadirov, who became involved in the Project

out of necessity, is in discussions with a well-regarded restaurateur to oversee day-to-day operations in conjunction with the hiring of a rising chef. Mr. Kadirov and the overseas investor are prepared to finance the completion of the Project and ongoing expenses during the Chapter 11 case, with the main goal of curing and reinstating the Lease once the Landlord's claims, if any, are resolved or adjudicated.

- 10. The Lease was signed on January 25, 2022 and runs for a term of 20 years with a 10-year renewal option. The lease covers portions of the ground floor, mezzanine, second floor and lower levels, totaling approximately 17,350 square feet. The current monthly rent is approximately \$100,000. If all goes well, the Debtor expects to open the restaurant in 4-6 months and has applied directly for a liquor license.
- 11. The Project has been plagued by severe water leaks most likely attributable to ground water infiltration, which remains the Landlord's responsibility to address. The Debtor notified the Landlord of the leaks on numerous occasions, but the Landlord has failed to alleviate the conditions.
- 12. Instead, in recent months, the Landlord commenced non-payment proceedings based upon deficient and improperly noticed letters of default dated July 11, 2024 and July 30, 2024. The Debtor has asserted several defenses in this litigation and intends to remove the litigation to the Bankruptcy Court shortly after commencing the Chapter 11 case.

Local Rule 1007-2 Disclosures

13. Although newly engaged, I am in a position to make the following disclosures based upon information available to me from a review of the Debtor's ledgers, construction drawings and plans, and litigation papers.

- 14. Pursuant to Local Rule 1007-2(a)(4), the Debtor intends to file a comprehensive set of schedules and statements. The creditor matrix used for this Petition has been prepared based upon a review of information provided to me by the Debtor.
 - 15. Pursuant to Local Rule 1007-2(a)(5), the Debtor has no secured creditors.
- 16. Pursuant to Local Rule 1007-2(a)(6), all of the Debtor's assets and liabilities are set forth in the accompanying bankruptcy schedules.
- 17. Pursuant to Local Rule 1007-2(a)(7), the membership interest in the Debtor is not publicly traded.
- 18. Pursuant to Local Rule 1007-2(a)(9), the Leased Premises are leased by the Debtor.
- 19. Pursuant to Local Rule 1007-2(a)(10), the Debtor's primary asset is the Lease and its development plans for the Restaurant, together with associated goodwill. The Debtor's books and records are located at the Debtor's business offices and maintained by the general contractor on the Project.
- 20. Pursuant to Local Rule 1007-2(a)(11), a schedule of pending lawsuits is filed herewith.
- 21. Pursuant to Local Rule 1007-2(a)(12), I shall serve as the CRO and will be compensated on a monthly basis, subject to any Court Order approving my retention. I received a retainer of \$5,000 and shall bill for my services based upon an hourly rate of \$550 per hour.

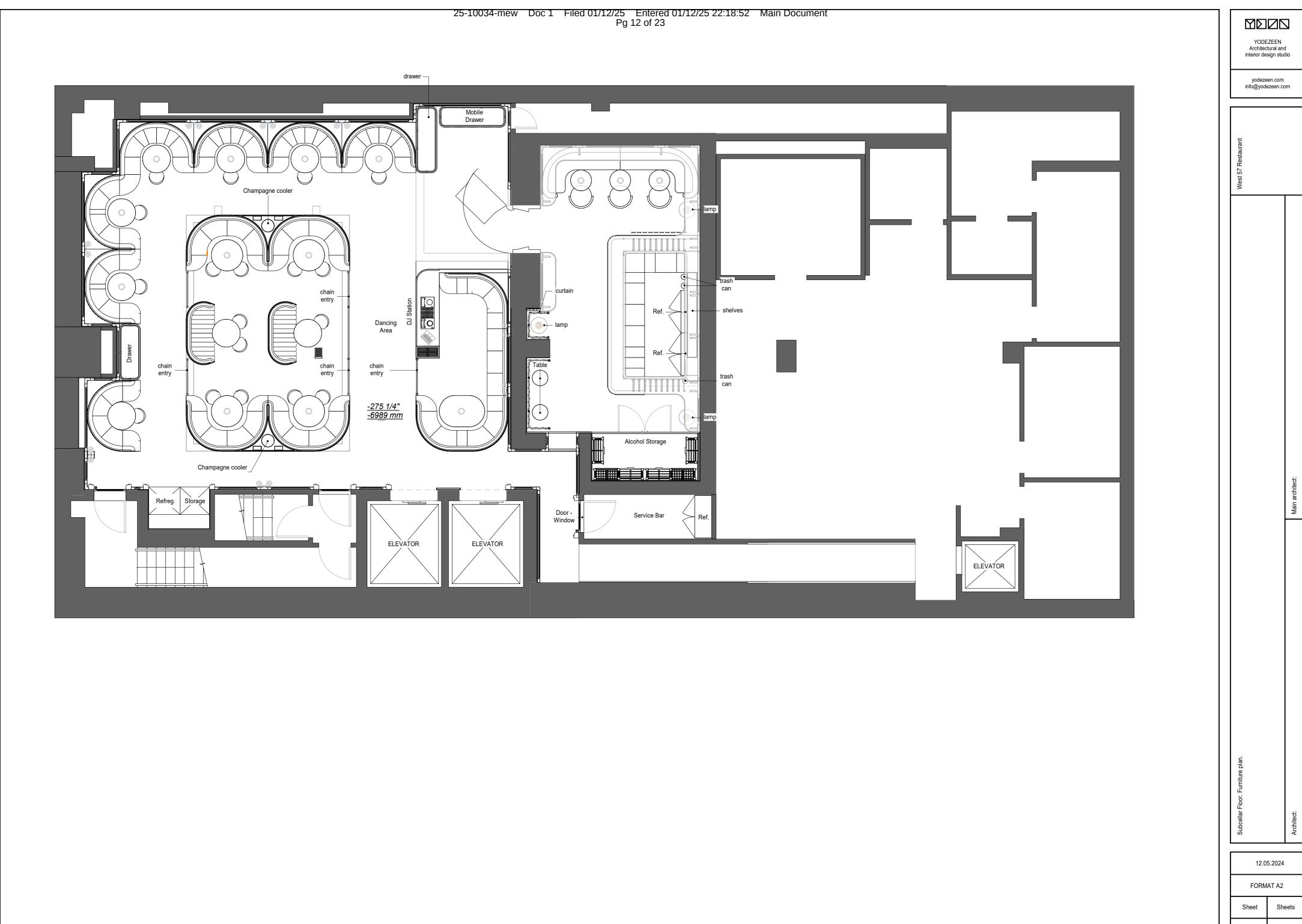
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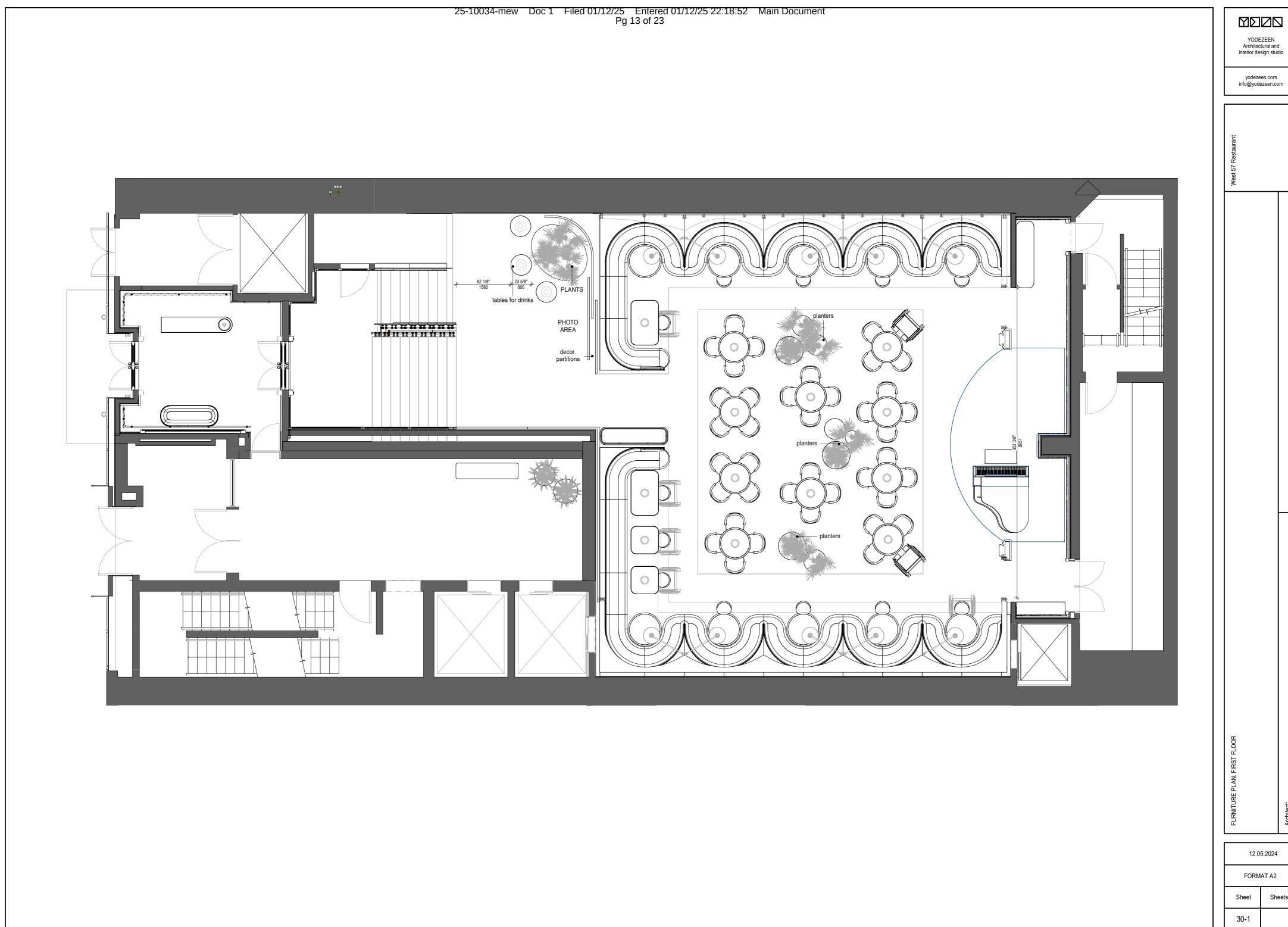
22. Pursuant to Local Rule 1007-2(b), the Debtor intends to assume and reinstate the Lease. Additionally, the Debtor anticipates obtaining additional capital of approximately \$1.4 million from Global Wireless FZE to complete construction.

Dated: New York, New York January 12, 2025

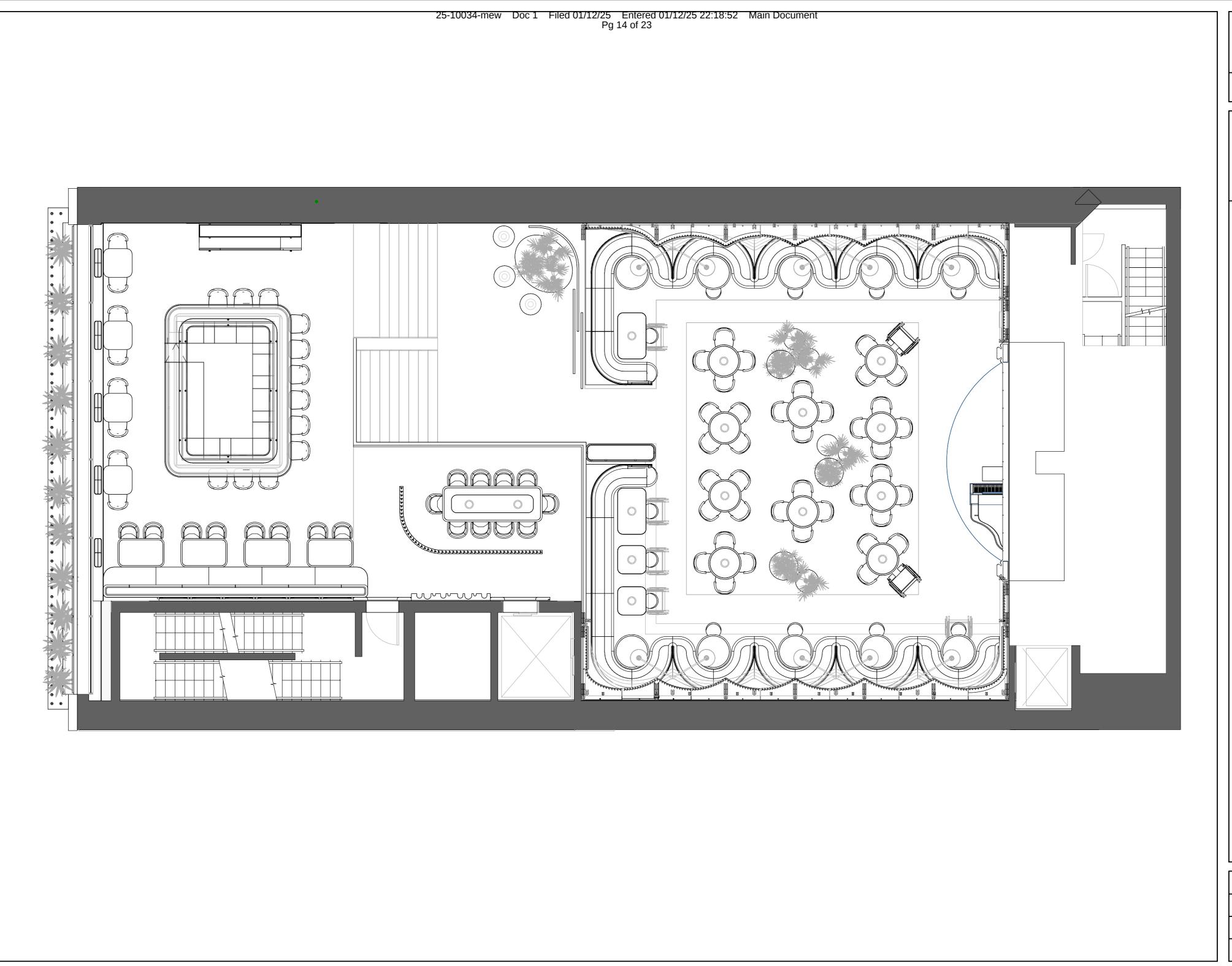
/s/ Lee E. Buchwald

Lee E. Buchwald





12.05.2024 FORMAT A2



YODEZEEN
Architectural and interior design studio

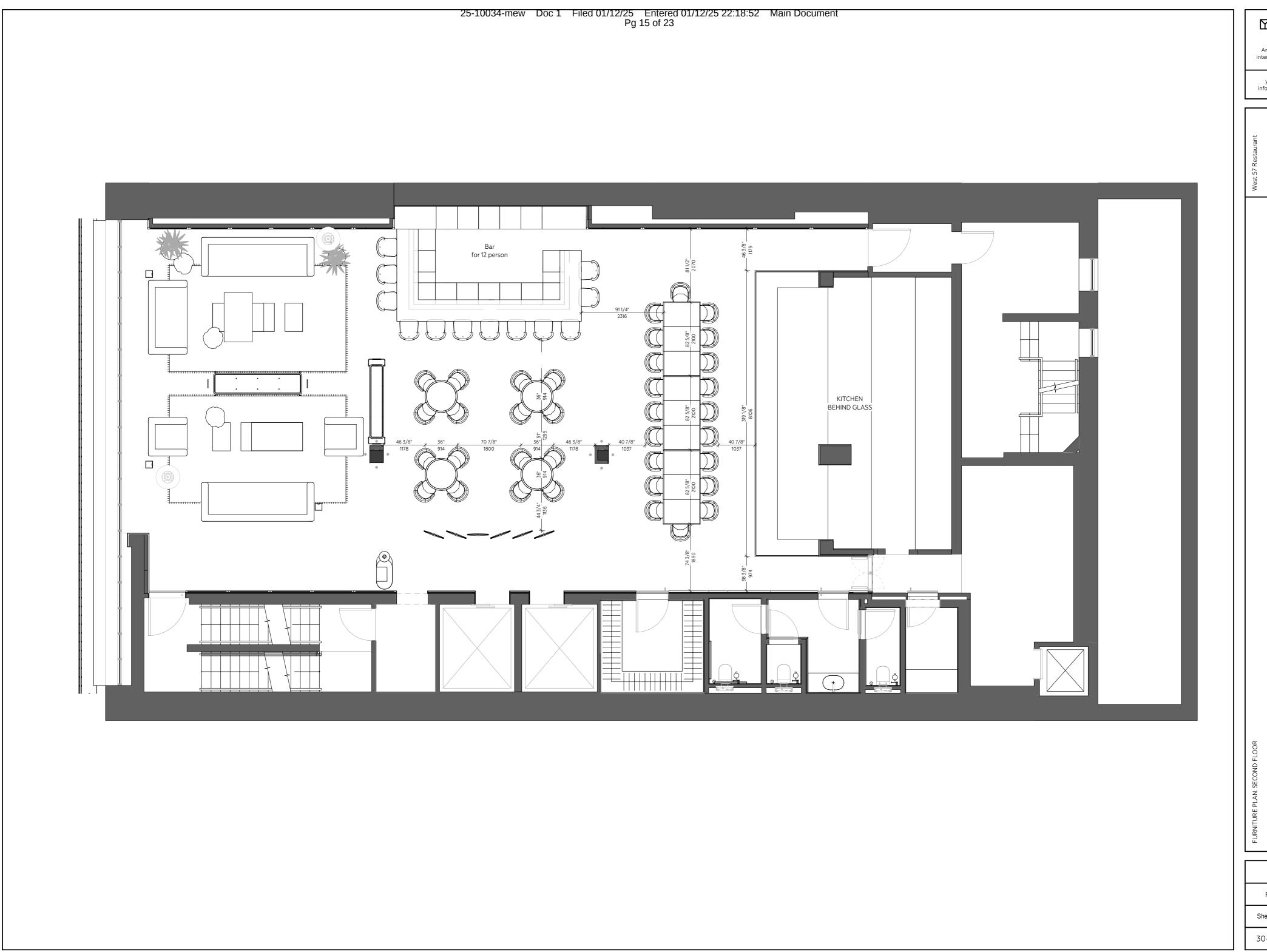
yodezeen.com info@yodezeen.com

12.05.2024

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Sheet Sheets

30-2



YODEZEEN
Architectural and interior design studio

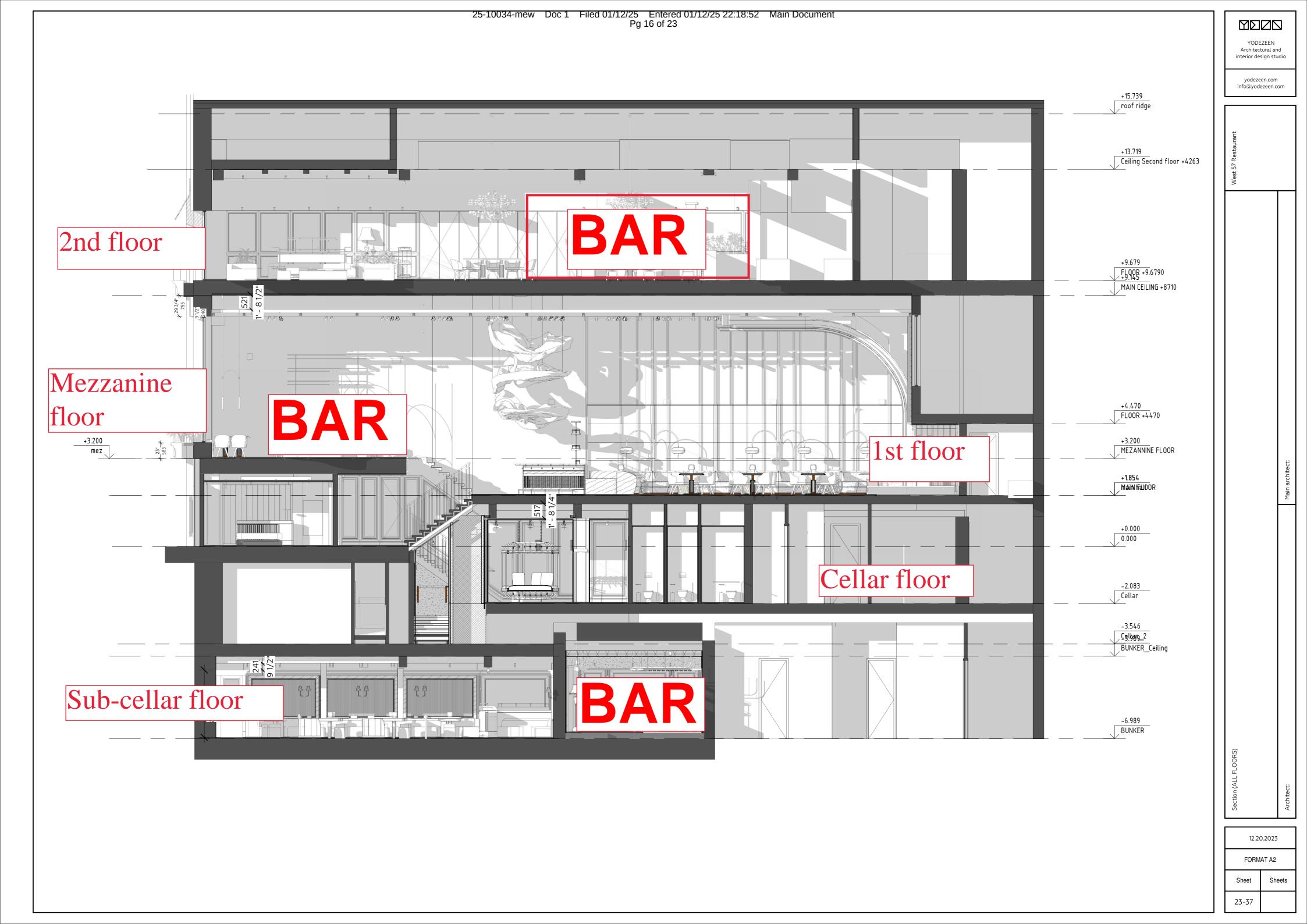
yodezeen.com info@yodezeen.com

8.17.2024

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Sheet Sheets

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Chapter 11
Case No.

LIST OF EQUITY HOLDERS

Rock 51 Trust: 100%

Dated: New York, New York January 12, 2025

By: /s/ Lee E. Buchwald

Name: Lee E. Buchwald

UNITED STATES BANKRUPTO SOUTHERN DISTRICT OF NEV	W YORK	
In re:	X	Chapter 11
Rock 51 LLC,		Case No.
	Debtor.	

LOCAL RULE 1007-2 CORPORATE OWNERSHIP STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1 and Local Rule 1007-2(a)(7), Rock 51 LLC certifies that it is a private non-governmental party, and has no corporate parent, affiliates and/or subsidiaries which are publicly held.

Dated: New York, New York January 12, 2025

By: /s/ Lee E. Buchwald

Name: Lee E. Buchwald

pter 11
e No.

LIST OF LAWSUITS

 Pref 7 West 51st Street LLC v. Rock 51 LLC et al. New York County Civil Court Petition for Holdover Index No. LT-315834-24/NY

Plaintiff's Attorney: Rosenberg & Estis, P.C.

Jason R. Davidson 733 Third Avenue New York, NY 10017

2. 300 Broadway-Sayville Lender, LLC v. Rock 51, LLC et al.

Breach of Contract Nassau County Supreme Court Index No. 603796/2023

Plaintiff's Attorney: Abrams Fensterman, LLP

Keith J. Singer

3 Dakota Drive, Suite 300 Lake Success, NY 11042

Dated: New York, New York January 12, 2025

By: /s/ Lee E. Buchwald

Name: Lee E. Buchwald

United States Bankruptcy Court Southern District of New York, Manhattan Division

In re	Rock 51 LLC		Case No.	
		Debtor(s)	Chapter	11
	VERIFICA	ATION OF CREDITOR	MATRIX	
	Thief Restructuring Officer of the corporation of t	on named as the debtor in this case, h	nereby verify that	the attached list of creditors is
Date:	January 12, 2025	/s/ Lee E. Buchwald Lee E. Buchwald/Chief Restruct Signer/Title	turing Officer	

300 Broadway-Sayville Lender, LLC 225 Crossways Park Drive Woodbury, NY 11797

A&B World Consulting, Inc. 8100 Shore Front Pkwy, Suite 9K Far Rockaway, NY 11693

A&D Engineering, PLLC 2606 East 15th Street, Suite 204 Brooklyn, NY 11235

Abrams Fensterman, LLP 3 Dakota Drive, Suite 300 New Hyde Park, NY 11042

ARM HVAC Distributors Inc. 1261 39th Street Brooklyn, NY 11218

Bluebird Kitchen

Bricble Corp 158 Central Avenue Rochelle Park, NJ 07662

Castle Kitchen and Bath LLC 1402 Castle Hill Ave Bronx, NY 10462

Daniel Kandhorov 187-29 Perth Road Jamaica, NY 11432

DATO A/C Inc. 444 Coney Island Avenue Brooklyn, NY 11218

DCA Architecture & Design 388 Laurel Road Pearl River, NY 10965

Elite Express Construction Inc 105 Beacon Ct Brooklyn, NY 11229

Expolight
Kabluka Olena Volodymyrivna
individual entrepreneur Unified State Re

Global Wireless FZE HAMRIYAH FREE ZONE, SHARJAH, 52180, Shar Gold Street Construction Group 8738 21 Avenue Brooklyn, NY 11214

Home Media Bliss LLC 119 Alabama Ave Paterson, NJ 07503

Internal Revenue Service Centralized Insolvency Operations PO Box Philadelphia, PA 19101-7346

Kelsis

Lasvit Inc. Lasvit Inc. / USA Headquarters 51 Wooster Street, Ground floor New York, NY 10013

MG Engineering D.P.C 116 West 32nd Street New York, NY 10001

NYC Department of Finance 375 Pearl Street, 30th Floor New York, NY 10038

NYS Dept. Taxation & Finance Bankruptcy/Special Procedures Section P.O. Box 5300 Albany, NY 12205

Pref 7 West 51st Street LLC 7 West 51st Street New York, NY 10019

Pref 7 West 51st Street LLC Attn: Jason R. Davidson ROSENBERG & ESTIS, P.C. 733 Third Avenue New York, NY 10017

Prime Ten LLC 280 Ashland Place Brooklyn, NY 11217

Progressive Alarm Company, Inc. 154 Avenue U, 2nd Floor Brooklyn, NY 11223

Project Factory NYC 2077 Coney Island Ave, Ground Floor Brooklyn, NY 11223

RG Glass Creations, Inc. 1441 Broadway 28th Floor New York, NY 10018 Robert Petrosyan 255 Harman Avenue Fort Lee, NJ 07024

Rockwell Group LTD 640 Fulton St., Suite 7 Farmingdale, NY 11735

Rosenberg & Estis, P.C. 733 Third Avenue New York, NY 10017

Sedesco, Inc. 34 East 51st Street, 6th Floor New York, NY 10022

Sella Marble LLC 19 Brook St Jersey City, NJ 07302

The Old Electric Corp. 135 Avenue P, Suite B4 Brooklyn, NY 11204

TMG LLC

TopLine GC Inc 70 Carriage Rd Roslyn, NY 11576

Urban Tech Consulting Engineering, PC 11 Broadway, Suite 1900 New York, NY 10004

William Hird & Co, Inc. 255 40th St Brooklyn, NY 11232

Yavorina Advance Ltd 07302, Kyiv Region, Vyshgorod District Vyshgorod City, Vatutin Str. 106

YM Pro Corp. 150 Bay 17th Street Brooklyn, NY 11214

Yodezeen Group, LLC 25 NW 34th St Miami, FL 33127

Zhan (Johnny) Petrosyan 100 Old Palisades Avenue, Apt. 2506 Fort Lee, NJ 07024